

### 1 CALL TO ORDER

Planning Board Chair Mark Good called the November 9, 2021 meeting to order at 6:02 pm.

### 1 ROLL CALL

Present were: Mark Good (Chair), Lawson Wulsin (Vice Chair) and Planning Board Members; Beth Gott, Brett Witham\* and Geoff Young.

Also present were: Town Manager/Code Enforcement Officer/LPI Jesse Dunbar, Attorney Diane O'Connell, Members of the Public and Press, and Recording Secretary Jan Sprague.

\*Mr. Witham joined the meeting at 6:31 pm. (He took no action on Agenda Items: #3 and #5.)

### 2 A. EXCUSED ABSENCES

NONE

### B. UNEXCUSED ABSENCES

NONE

### 3 ADJUSTMENT / ADOPTION OF THE AGENDA

**MOTION** by Mr. Wulsin to move Agenda Item #4, Minutes, to the end of the meeting (after Agenda Item #6). Second by Mr. Young.

The motion passed 4-0

The motion passed with Mr. Good, Ms. Gott, Mr. Wulsin and Mr. Young in favor.

Planning Board Member Beth Gott recused from Agenda Item #4. a.,b.,c. due to a recognized conflict of interest.

### 4 a. MINUTES FOR OCTOBER 26, 2021

**MOTION** by Mr. Wulsin to approve the minutes of October 26, 2021, as amended.

Second by Mr. Witham.

The motion passed 4-0-1.

The motion passed with Mr. Good, Mr. Witham, Mr. Wulsin and Mr. Young in favor.



Ms. Gott Abstained from the vote due to a recognized conflict of interest.

### Amendments:

### i. 8.C. OLD BUSINESS, Access Into Site, Article 1X.C.

**MOTION** by Planning Board Vice Chair Lawson Wulsin to find the Application for the ACADIA WILDERNESS LODGE CAMPGROUND has met the Performance Standard for **Access Into Site**, **Article IX**. **C.** because the cite distances are more than adequate as evidenced by the curb cut road opening permit from MDOT, seconded by Planning Board Chair Mark Good.

### amended to:

**MOTION** by Planning Board Vice Chair Lawson Wulsin to find the Application for the ACADIA WILDERNESS LODGE CAMPGROUND has met the Performance Standard for **Access Into Site, Article IX. C.** because the **sight** distances are more than adequate as evidenced by the curb cut road opening permit from MDOT, seconded by Planning Board Chair Mark Good.

### ii. 8.C.2. OLD BUSINESS, Access Into Site, Article 1X.C.2.

**MOTION** by Planning Board Member Brett Witham to find the Application for the ACADIA WILDERNESS LODGE CAMPGROUND has met the Performance Standard for **Access Into Site, Article IX.C.2.** in that the point of access and egress must be located to avoid hazardous conflicts with existing turning movements and traffic flows as evidenced by the fact that the entrance is five hundred (500) feet from the Kelleytown Road and Clark Point Road, and **site** Diane Morabito (Traffic Engineer) comments about the lack of accidents in the last (3) three years in that stretch of road, seconded by Planning Board Vice Chair Lawson Wulsin.

### amended to:

**MOTION** by Planning Board Member Brett Witham to find the Application for the ACADIA WILDERNESS LODGE CAMPGROUND has met the Performance Standard for Access Into Site, Article IX.C.2. in that the point of access and egress must be located to avoid hazardous conflicts with existing turning movements and traffic flows as evidenced by the fact that the entrance is five hundred (500) feet from the Kelleytown Road and Clark Point Road, and cite Diane Morabito (Traffic Engineer) comments about the lack of accidents in the last (3) three years in that stretch of road, seconded by Planning Board Vice Chair Lawson Wulsin.



### iii. 8. OLD BUSINESS:

PLANNING BOARD APPLICATION/SITE PLAN REVIEW: ACADIA WILDERNESS LODGE CAMPGROUND
PERRY LAWSON LLC, JAMES & KENYA HOPKINS
661 TREMONT ROAD TAX MAP 005 LOT 100, RESIDENTIAL BUSINESS ZONE
FINDINGS OF FACT – FINAL REVIEW

**MOTION** by Planning Board Member Brett Witham to adjourn this meeting and reconvene tomorrow evening (October 27, 2021) at 6:30 pm via Zoom, to continue the review of the Application for the ACADIA WILDERNESS LODGE CAMPGROUND, seconded by Planning Board Chair Mark Good. The motion passed 3-1

The motion passed with Planning Board Chair Mark Good, Planning Board Vice Chair Lawson Wulsin and Planning Board Member Brett Witham in favor and Planning Board Member Geoff Young opposed. *amended to:* 

**MOTION** by Planning Board Member Brett Witham to adjourn this meeting and reconvene tomorrow evening (October 27, 2021) at 6:30 pm via Zoom, to continue the review of the Application for the ACADIA WILDERNESS LODGE CAMPGROUND, seconded by Planning Board Chair Mark Good. The motion passed 3-1

The motion passed with Planning Board Chair Mark Good, Planning Board Vice Chair Lawson Wulsin and Planning Board Member Brett Witham in favor and Planning Board Member Geoff Young opposed. Mr. Young suggested to the Applicant, and requested of the Planning Board, to go over to November ninth (11/09/2021) for the next meeting to continue the review of the application for the ACADIA WILDERNESS LODGE CAMPGROUND. No action was taken. Mr. Wulsin, Mr. Witham and Mr. Good voiced their disappointment that the meeting (10/27/21) is scheduled without Mr. Young.



### b. MINUTES FOR OCTOBER 27, 2021

**MOTION** by Mr. Witham to approve the minutes of October 27, 2021, as drafted.

Second by Mr. Wulsin.

The motion passed 3-0-2.

The motion passed with Mr. Good, Mr. Witham and Mr. Wulsin in favor.

Ms. Gott abstained from the vote due to a recognized conflict of interest.

Mr. Young abstained from the vote due to absence from the October 27, 2021 meeting.

### c. MINUTES FOR NOVEMBER 1, 2021

**MOTION** by Mr. Witham to approve the minutes of November 1, 2021, as drafted.

Second by Mr. Wulsin.

The motion passed 3-0-2.

The motion passed with Mr. Good, Mr. Witham and Mr. Wulsin in favor.

Ms. Gott abstained from the vote due to a recognized conflict of interest.

Mr. Young abstained from the vote due to absence from the November 1, 2021 meeting.

\*Mr. Witham joined the meeting at 6:31 pm, after action on Agenda Item #5.19. He stated that he will abstain from action on Agenda Item #5 SUBDIVISION APPLICATION- AMENDMENT TO LOT #4 OF THE HUBER SUBDIVISION because he didn't hear the background (due to absence from discussion/ action on Agenda Item #5.1-19).

### 5 **OLD BUSINESS:**

SUBDIVISION APPLICATION- AMENDMENT TO LOT #4 OF THE HUBER SUBDIVISION HELEN O'CONNOR

TAX MAP 007 LOT 029-4 LIMITED RESIDENTIAL SHORELAND/RESIDENTIAL FINDINGS OF FACT – FINAL REVIEW

1 MOTION by Mr. Young to find the Performance Standard for Pollution has been met because the application reflects that it meets the criteria listed.
Second by Mr. Wulsin.



Motion passed 4-0

2 **MOTION** by Mr. Young to find the Performance Standard for **Sufficient Water** has been met. Both lots have existing wells and we've been told that those wells adequately serve the premises that are being subdivided.

Second by Mr. Wulsin.

Motion passed 4-0

3 **MOTION** by Mr. Young to find the Performance Standard for **Municipal Water Supply** is not applicable as there is no public water supply available at the subject premises.

Second by Mr. Wulsin.

Motion passed 4-0

4 **MOTION** by Mr. Young to find the Performance Standard for **Erosion** has been met. We are subdividing existing dwellings, and that there is no clearing proposed that would increase the erosion on the premises.

Second by Mr. Wulsin.

Motion passed 4-0

5 **MOTION** by Mr. Young to find the Performance Standard for **Traffic** has been met. The proposed subdivision does not increase or impact highway or public road congestion due to the fact that both these dwellings currently exist and have existed for a number of years.

Second by Mr. Wulsin.

Motion passed 4-0

6 **MOTION** by Mr. Young to find the Performance Standard for **Sewage Disposal** has been met. There is no municipal septic systems available on the premises and the existing septic systems as reflected on the submitted survey will be adequate for the sewage as been discussed at the previous meeting.

Second by Mr. Wulsin.

Motion passed 4-0



7 **MOTION** by Mr. Young to find the Performance Standard for **Municipal Solid Waste Disposal** is not applicable in that the Town of Tremont does not have a solid waste disposal system. Second by Mr. Wulsin.

Motion passed 4-0

8 **MOTION** by Mr. Young to find the Performance Standard for **Aesthetic, Cultural and Natural Values** is not applicable as the premises are already developed and in existence for a number of years.

Second by Mr. Wulsin. Motion passed 4-0

9 **MOTION** by Mr. Young to find the Performance Standard for **Conformity with Local Ordinances and Plans** has been met. The proposed subdivision conforms to Town of Tremont's subdivision regulations and ordinances, comprehensive plan, and development plan and land use plan.

Second by Mr. Wulsin. Motion passed 4-0

10 **MOTION** by Mr. Young to find the Performance Standard for **Financial and Technical Capacity** is not applicable as the only thing being done here is drawing a line dividing two lots, number one and number two. I don't think we've gotten any information from the applicant regarding financial and technical capacity in their record.

Second by Mr. Wulsin.

Motion passed 4-0

11 MOTION by Mr. Wulsin to find the Performance Standard for Surface Waters; Outstanding River Segments is not applicable pursuant to Title 38.

Second by Ms. Gott Motion passed 4-0

12 **MOTION** by Mr. Young to find the Performance Standard for **Ground Water** has been met. The proposed subdivision will not adversely affect the quality or quantity of groundwater as it's an existing development and existing septic as well, and wells.



Second by Mr. Wulsin.

Motion passed 4-0

13 **MOTION** by Mr. Young to find the Performance Standard for **Flood Areas** is not applicable. The Federal Emergency Management Agency flood plan floodway maps are not applicable in this subdivision as the dwellings have existed for a number of years.

Second by Mr. Wulsin.

Motion passed 4-0

14 **MOTION** by Mr. Wulsin to find the Performance Standard for **Freshwater Wetlands** is not applicable because there are no wetlands identified on the survey submitted by Eastern Surveying Company and that all the structures are existing, and there is no additional structure proposed.

Second by Mr. Young. Motion passed 4-0

15 **MOTION** by Mr. Wulsin to find the Performance Standard for **River, Stream or Brook** is not applicable because there are no river, stream's or brooks present within or abutting the subdivision.

Second by Mr. Young. Motion passed 4-0

16 **MOTION** by Mr. Wulsin to find the Performance Standard for **Storm Water** is not applicable because there is no additional development proposed on either lot.

Second by Mr. Good.

Motion passed 4-0

17 **MOTION** by Mr. Young to find the Performance Standard for **Spaghetti-lots Prohibited** has been met. None of the lots proposed in the subdivision have a lot depth to shore frontage ratio greater than five to one.

Second by Mr. Wulsin Motion passed 4-0



18 **MOTION** by Mr. Wulsin to find the Performance Standard for **Lake Phosphorus Concentration** is not applicable because no portion of this site is located within the watershed of a great pond.

Second by Mr. Young. Motion passed 4-0

19 MOTION by Mr. Young that the Performance Standard for Impact on Adjoining Municipality ordinances are not applicable due to the fact that this Subdivision is located totally within the Town of Tremont.

Second by Mr. Wulsin.

Motion passed 4-0

20 **MOTION** by Mr. Wulsin to find the Performance Standard for **Lands Subject to Liquidation Harvesting** has been met due to the absence of liquidation harvesting as stated by the applicant .

Second by Ms. Gott

Motion passed 4-0-1

The motion passed with Mr. Good, Mr. Wulsin, Ms. Gott and Mr. Young in favor.

Mr. Witham abstained from the vote.

**MOTION** by Mr. Young to find that SUBDIVISION APPLICATION- AMENDMENT TO LOT #4 OF THE HUBER SUBDIVISION be approved based on the foregoing Findings of Fact, and that no other terms or conditions are imposed.

Second by Mr. Wulsin

Motion passed 4-0-1

The motion passed with Mr. Good, Mr. Wulsin, Ms. Gott and Mr. Young in favor.

Mr. Witham abstained from the vote.

### 6 **NEW BUSINESS:**

A. SUBDIVISION APPLICATION- AMENDMENT TO "FINAL SUBDIVISION PLAN OF LAND OF TIMOTHY H. GOTT & SYLVIA H. GOTT ROUTE 102 AND RICHTOWN ROAD"



### TOM BENSON / DAVID SCULL 123 RICHTOWN ROAD TAX MAP 005 LOT 052 RESIDENTIAL-BUSINESS ZONE

**MOTION** by Mr. Wulsin to find SUBDIVISION APPLICATION- AMENDMENT TO "FINAL SUBDIVISION PLAN OF LAND OF TIMOTHY H. GOTT & SYLVIA H. GOTT ROUTE 102 AND RICHTOWN ROAD, TOM BENSON / DAVID SCULL, 123 RICHTOWN ROAD", TAX MAP 005 LOT 052 RESIDENTIAL-BUSINESS ZONE complete pending completion of 3.l., Abutters list by Mr. Dunbar.

Second by Ms. Gott

The motion passed unanimously.

Planning Board Member Beth Gott recused from Agenda Item #6.B. due to a recognized conflict of interest.

### B. SUBDIVISION APPLICATION- AMENDMENT #4 FOR ALDER LANE SUBDIVISION TOM BENSON / COLE MCENROE / RAYMOND MACARI JR 235 KELLEYTOWN ROAD

TAX MAP 007 LOT 015-10 RESIDENTIAL-BUSINESS ZONE

**MOTION** by Mr. Young to find the application for AMENDMENT #4 TO THE ALDER LANE SUBDIVISION is conditionally complete.

Second by Mr. Wulsin.

Motion passed 4-0-1.

The motion passed with Mr. Good, Mr. Witham, Mr. Wulsin and Mr. Young in favor.

Ms. Gott abstained from the vote due to a recognized conflict of interest.

### **Conditions**

- 3.b. Add conveyed to McEnroe Enterprises, LLC
- 3.d. Add names of adjoining property owners for lots sold within Gott's Subdivision: Farley, Minctons, and USA (Acadia National Park)
- 3.h. Add width of Kelleytown Rd
- 3.1. Add names and addresses of owners of record of adjacent property for lots sold within Gott's Subdivision:



Farley, Minctons, and USA (Acadia National Park)

- 3.n. Add Flood Zone
- 3.o. Add Contour Lines at 10 foot intervals

**MOTION** by Mr. Young schedule to schedule a **Public Hearing for Agenda Item #6.**A. AMENDMENT TO "FINAL SUBDIVISION PLAN OF LAND OF TIMOTHY H. GOTT & SYLVIA H. GOTT ROUTE 102 AND RICHTOWN ROAD, TOM BENSON / DAVID SCULL, 123 RICHTOWN ROAD", TAX MAP 005 LOT 052 RESIDENTIAL-BUSINESS ZONE **and Agenda Item #6.B**. AMENDMENT #4 TO THE ALDER LANE SUBDIVISION for December 14, 2021 at 6 pm via Zoom.

Second by Mr. Good.

Motion passed 4-0-1.

The motion passed with Mr. Good, Mr. Witham, Mr. Wulsin and Mr. Young in favor.

Ms. Gott abstained from the vote due to a recognized conflict of interest.

C. CAMPGROUND MORATORIUM – ORDINANCE CHANGES DISCUSSION SUMMARY OF THE OUTCOME OF THE CAMPGROUND MORATORIUM ORDINANCE AND DISCUSSION ON NEXT STEPS FOR THE ORDINANCE.

Discussion was held on next steps for the ordinance. A suggested request was made by Mr. Young to approach the Selectmen for whether we can have an attorney or a consultant appear at our meetings to help us through the campground and moratorium issues.

No action was taken.

8 **CEO ISSUES:** 

NONE

9 **OTHER**:

**NONE** 

10 SET DATE FOR NEXT MEETING: SUGGESTED DECEMBER 14, 2021

**MOTION** by Mr. Young to schedule the next meeting for December 14, 2021, at 6 pm via Zoom. Second by Mr. Wulsin.



The motion passed unanimously.

Planning Board, Town of Tremont

### 12 ADJOURN

MOTION by Mr. Young to adjourn the meeting. Second by Mr. Wulsin.
The motion passed unanimously.
The meeting was adjourned at 8:20 pm.

Respectfully Submitted,

Jan Sprague

Recording Secretary

Signed as approved:	
Mark Good, Chair	Date